

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
CENTRAL DIVISION**

<b>LOUIS NOLAND, JR.,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>Removed from the Circuit Court of</b>
	)	<b>Camden County, Missouri</b>
<b>v.</b>	)	<b>Case No. 21CM-CC00027</b>
	)	
<b>COMPASS HEALTH, INC., D/B/A</b>	)	
<b>COMPASS HEALTH NETWORK,</b>	)	
<b>AND</b>	)	
<b>COMPASS HEALTH NETWORK,</b>	)	
	)	
<b>Defendants.</b>	)	

**NOTICE OF REMOVAL**

Please take notice that pursuant to 28 U.S.C. §§ 1331, 1367, 1441, and 1446, Defendants Compass Health, Inc., d/b/a Compass Health Network and Compass Health Network (“Defendant” or “Compass Health”), by and through its undersigned counsel, hereby removes the above-captioned action to this Court from the Circuit Court of Camden County, Missouri, Case No. 21CM-CC00027.

In support of this Notice of Removal, Defendants state as follows:

1. Plaintiff Louis Noland Jr. (“Plaintiff”) filed his Petition against Defendants on February 19, 2021, in the Circuit Court of Camden County, Missouri, captioned *Louis Noland Jr. v. Compass Health, INC., D/B/A Compass Health Network and Compass Health Network.*, Case No. 21CM-CC00027 (the “State-Court Action”). A copy of that Petition is attached as ***Exhibit A***.
2. Plaintiff served Defendants with process on or about March 3, 2021.
3. A Notice of Removal must be filed within thirty days of service of process. *See* 28 U.S.C. § 1446(b). As Plaintiff served Defendants less than thirty days ago, removal is timely.

4. Defendants remove this action based on federal-question and supplemental jurisdiction. The federal district courts “shall have original jurisdiction of all civil actions arising under the Constitution, law, or treaties of the United States.” 28 U.S.C. § 1331. Furthermore, “in any civil action of which the district courts have original jurisdiction, the district courts shall have supplemental jurisdiction over all other claims that are so related to claims in the action within such original jurisdiction that they form part of the same case or controversy under Article III of the United States Constitution.” 28 U.S.C. § 1367 (a).

5. Plaintiff’s Petition demands relief under the Americans With Disabilities Act (“ADA”) and the ADA Amendments Act (ADAAA), (**Ex. A pp. 10-14**). Because these statutes represent the “laws ... of the United States”, this Court has federal-question jurisdiction over such claims pursuant to 28 U.S.C. § 1331.

6. Plaintiff’s Petition demands relief under the Age Discrimination in Employment Act (“ADEA”), 29 U.S.C. § 621 *et seq.*, as amended, and under the provisions of the Fair Labor Standards Act (FLSA), 29 U.S.C. § 211, *et seq.*, as amended, and under the specific provisions of the ADEA, including but not limited to 29 U.S.C. § 626(c), (**Ex. A pp. 16-19**).

7. Plaintiff further demands relief under the Missouri Human Rights Act (“MHRA”). (**Ex. A, pp. 6-10 & 14-16**). The MHRA is codified at Mo. Rev. Stat. §§ 213.010 *et. seq.* These state-law claims arise from the same nucleus of operative facts that Plaintiff alleges to support her claims under the ADA. (**Ex. A, pp. 3-6**). As such, they fall within the supplemental jurisdiction of this Court, pursuant to 28 U.S.C. § 1367(a).

8. This Court is also the proper divisional venue because the Circuit Court of Camden County, Missouri is located within the geographic region embraced by the Central Division of the

United States District Court for the Western District of Missouri, pursuant to 28 U.S.C. § 1441(a) and W.D. Mo. L.R. 3.2(a)(2).

9. Pursuant to 28 U.S.C. § 1446(d), prompt written notice of removal of State-Court Action is being provided to Plaintiff through counsel of record, and this notice will be filed with the Circuit Court of Camden County, Missouri in the pending State-Court Action.

10. Pursuant to W.D. Mo. L.R. 3.1, Defendants have filed a completed Civil Cover Sheet and it is attached as **Exhibit B**.

11. Pursuant to W.D. Mo. L.R. 7.1(a), Defendants have filed a Certificate of Interest.

**WHEREFORE**, the above-captioned State-Court Action, is hereby removed to the United States District Court for the Western District of Missouri.

Respectfully submitted,

WALDECK & PATTERSON, P.A.

By: /s/ John M. Waldeck

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**ATTORNEYS FOR DEFENDANTS**

### **CERTIFICATE OF SERVICE**

I certify that on April 1, 2021, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which sent notice of electronic filing to the following:

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**ATTORNEYS FOR PLAINTIFF**

/s/ John M. Waldeck  
**ATTORNEY FOR DEFENDANTS**